

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

RANDY CARL HINKLEY	:	CIVIL ACTION
	:	
v.	:	No. 11-1164
	:	
LEHIGH COUNTY CLERK OF	:	
COURTS, et al.	:	

ORDER

AND NOW, this 28th day of March, 2012, it is ORDERED Defendants' Motion to Dismiss Plaintiff's Amended Complaint (Document 18) is GRANTED. Hinkley's § 1983 claims alleging violations of his Fifth, Eighth, and Fourteenth Amendment rights are dismissed without prejudice to Hinkley's right to refile these claims in the event he obtains relief on his pending federal habeas petition or obtains equivalent relief from his underlying criminal convictions or sentences in state court. Hinkley's § 1983 claim alleging violations of his First Amendment rights is dismissed with prejudice.

It is further ORDERED Hinkley's Motions for Summary Judgment (Documents 16, 19, and 20)¹ are DENIED as moot.

It is further ORDERED Hinkley's Ancillary Motion for Query (Document 21) is DENIED without prejudice to Hinkley's right to renew the motion in his federal habeas action.

The Clerk of Court is directed to mark this case CLOSED.

BY THE COURT:

/s/ Juan R. Sánchez
Juan R. Sánchez, J.

¹ Hinkley's original summary judgment motion (Document 16) is also Part I of his Amended Complaint. His later summary judgment motions are also captioned as his Reply in Response to Defendants' Motion to Dismiss (Document 20) and the exhibits thereto (Document 19).